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Laurel H. Siddoway, WSBA #15550  
George M. Ahrend, WSBA #25160  
David J. Groesbeck, WSBA #24749  
RANDALL & DANSKIN, P.S.  
601 West Riverside Avenue, Suite 1500  
Spokane, WA 99201  
  
Telephone: (509) 747-2052  
Facsimile: (509) 624-2528

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 09 2002

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

IN RE RIVER PARK SQUARE  
PROJECT BOND LITIGATION

No. CS-01-0127-EFS

ANSWER OF CITY OF SPOKANE  
TO WALKER PARKING  
CONSULTANTS/ENGINEERS,  
INC'S COUNTERCLAIM

The City of Spokane answers the counterclaim of Walker  
Parking Consultants/Engineers, Inc. ("Walker") as follows:

The City admits the allegations of paragraphs 1, 2, 5  
and 9; admits the allegations of the first two sentences of  
paragraph 3; admits the first sentence of paragraph 4;  
admits that its Original and First Amended Complaint in  
Superior Court asserted a conspiracy claim and identified  
Walker as a party to that claim; admits that upon filing  
the Second Amended Complaint in Superior Court, that claim

CITY OF SPOKANE'S ANSWER TO  
COUNTERCLAIM OF WALKER PARKING  
CONSULTANTS/ENGINEERS, INC. - 1

RANDALL & DANSKIN, P.S.  
ATTORNEYS AND COUNSELORS  
1500 BANK OF AMERICA FINANCIAL CENTER  
601 WEST RIVERSIDE AVENUE  
SPOKANE, WASHINGTON 99201-0653  
(509) 747-2052

1 was dropped; and admits that on November 30, 2000, Walker  
2 filed a tort claim with the City of Spokane.

3 The City denies each and every other allegation of  
4 paragraphs 1 through 17 of Walker's counterclaim.  
5

6 AFFIRMATIVE DEFENSES

7 The City asserts the following affirmative defenses to  
8 Walker's counterclaim:  
9

- 10 1. Truth.
- 11 2. Common law absolute privilege.
- 12 3. Common law qualified privilege.
- 13 4. First Amendment privilege, including for rights  
14 of speech and petition.
- 15 5. Failure to state a cause of action.
- 16 6. Failure to comply with Rule 11(c), Federal Rules  
17 of Civil Procedure.  
18

19 WHEREFORE the City of Spokane prays as follows:  
20

- 21 1. For dismissal of Walker's counterclaim, with  
22 prejudice,  
23
- 24 2. For recovery of its fees and costs incurred in  
25 defense thereof, as additional damages recoverable under  
26  
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28 CITY OF SPOKANE'S ANSWER TO  
COUNTERCLAIM OF WALKER PARKING  
CONSULTANTS/ENGINEERS, INC. - 2

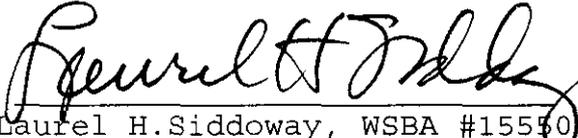
RANDALL & DANSKIN, P.S.  
ATTORNEYS AND COUNSELORS  
1500 BANK OF AMERICA FINANCIAL CENTER  
601 WEST RIVERSIDE AVENUE  
SPOKANE, WASHINGTON 99201-0653  
(509) 747-2052

1 its earlier-asserted claim for contract indemnification by  
2 Walker, and

3 3. For sanctions, for Walker's failure to comply  
4 with the requirements of applicable federal rules.  
5

6 DATED this 9 day of January, 2002

7 RANDALL & DANSKIN, P.S.

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9  
10 By   
11 Laurel H. Siddoway, WSBA #15550  
12 George M. Ahrend, WSBA #25160  
13 David J. Groesbeck, WSBA #24749  
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CERTIFICATE OF SERVICE

I hereby certify that on this 9 day of January, 2002

I caused a true and correct copy of the foregoing to be served on the parties to this action or their counsel at the address and in the manner set forth below:

Alain Baudry, Esq.  
Clark Whitmore, Esq.  
Maslon Edelman Borman  
& Brand, LLP  
3300 Wells Fargo Center  
90 South Seventh Street  
Minneapolis MN 55402  
*Attorneys for Plaintiff U.S.  
Bank Trust National Association*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 612/672-8397
- By Overnight Delivery

Gary J. Ceriani, Esq.  
Michael P. Cillo, Esq.  
Davis & Ceriani, P.C.  
Suite 400 Market Center  
1350 Seventeenth Street  
Denver, CO 80202  
*Attorneys for Plaintiffs Nuveen  
Quality Income Municipal Fund,  
Nuveen Premium Income Fund 4,  
Stong Municipal Bond Fund, Smith  
Barney Municipal Fund Limited  
Term, Smith Barney Municipal  
High-Income Fund and Vanguard  
High-Yield Tax-Exempt Fund*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 303/534-4618
- By Overnight Delivery

John D. Munding, Esq.  
Crumb & Munding, P.S.  
601 W. Riverside, Ste. 1950  
Spokane, WA 99201-0611  
*Attorneys for Plaintiffs  
(except Asset Guarantee)*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/624-6155
- By Overnight Delivery

CITY OF SPOKANE'S ANSWER TO  
COUNTERCLAIM OF WALKER PARKING  
CONSULTANTS/ENGINEERS, INC. - 4

**RANDALL & DANSKIN, P.S.**  
ATTORNEYS AND COUNSELORS  
1500 BANK OF AMERICA FINANCIAL CENTER  
601 WEST RIVERSIDE AVENUE  
SPOKANE, WASHINGTON 99201-0653  
(509) 747-2052

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Randall L. Stamper, Esq.  
Thomas R. Luciani, Esq.  
Stamper, Rubens, Stock  
& Smith, P.S.  
720 W. Boone, 200 Post Pl.  
Spokane, WA 99201-2560  
*Attorneys for Plaintiff Asset  
Guarantee Insurance Company*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/326-4891
- By Overnight Delivery

John D. Lowery, Esq.  
James Rhett Brigman, Esq.  
Daniel J. Guner, Esq.  
Riddell Williams, P.S.  
1001 Fourth Avenue Plaza  
Seattle, WA 98154-1065  
*Attorneys for Plaintiff Asset  
Guarantee Insurance Company*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/389-1708
- By Overnight Delivery

James L. Robart, Esq.  
Christian N. Oldham, Esq.  
Matthew J. Macario, Esq.  
David L. Young, Esq.  
Lane Powell Spears  
Lubersky, LLP  
1420 Fifth Ave., Suite 4100  
Seattle, WA 98101  
*Attorneys for Prudential  
Securities*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/223-7107
- By Overnight Delivery

Patrick M. Risken, Esq.  
Evans Craven & Lackie  
818 W. Riverside Ave.,  
Suite 250  
Spokane, WA 99201-0910  
*Attorneys for Walker Parking  
Consultants/Engineers*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/455-3632
- By Overnight Delivery

CITY OF SPOKANE'S ANSWER TO  
COUNTERCLAIM OF WALKER PARKING  
CONSULTANTS/ENGINEERS, INC. - 5

**RANDALL & DANSKIN, P.S.**  
ATTORNEYS AND COUNSELORS  
1500 BANK OF AMERICA FINANCIAL CENTER  
601 WEST RIVERSIDE AVENUE  
SPOKANE, WASHINGTON 99201-0653  
(509) 747-2052

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Peter D. Byrnes, Esq.  
Ralph E. Cromwell, Jr., Esq.  
Byrnes & Keller, LLP  
1000 Second Ave., Ste. 3800  
Seattle, WA 98104  
*Attorneys for Foster Pepper &  
Shefelman*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/622-2522
- By Overnight Delivery

William F. Etter, Esq.  
Etter, McMahon, Lamberson  
& Clary, P.C.  
421 W. Riverside, Ste. 1600  
Spokane, WA 99201-0401  
*Attorneys for Spokane Downtown  
Foundation*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/623-1439
- By Overnight Delivery

William F. Cronin, Esq.  
Paul R. Raskin, Esq.  
Corr Cronin LLP  
1001 Fourth Ave. Ste. 3900  
Seattle, WA 98154-1051  
*Attorneys for Preston Gates &  
Ellis*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/625-0900
- By Overnight Delivery

Ladd B. Leavens, Esq.  
Davis Wright  
Tremains, L.L.P.  
1501 Fourth Ave.  
2600 Century Square  
Seattle, WA 98101-1688  
*Attorneys for Citizens Realty  
and Lincoln Investment*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/628-7699
- By Overnight Delivery

Leslie R. Weatherhead, Esq.  
Witherspoon Kelley  
Davenport & Toole, P.S.  
422 West Riverside Ave.,  
Ste. 1100  
Spokane, WA 99201-0302  
*Attorneys for River Park Square,  
L.L.C. and RPS II, L.L.C.*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/458-2717
- By Overnight Delivery

CITY OF SPOKANE'S ANSWER TO  
COUNTERCLAIM OF WALKER PARKING  
CONSULTANTS/ENGINEERS, INC. - 6

**RANDALL & DANSKIN, P.S.**  
ATTORNEYS AND COUNSELORS  
1500 BANK OF AMERICA FINANCIAL CENTER  
601 WEST RIVERSIDE AVENUE  
SPOKANE, WASHINGTON 99201-0653  
(509) 747-2052

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Peter M. Vial, Esq.  
Robert D. Stewart, Esq.  
Cyrus R. Vance, Jr., Esq.  
McNaul Ebel Nawrot Helgren  
& Vance P.L.L.C.  
600 University Street,  
Suite 2700  
Seattle, WA 98101-3143  
*Attorneys for RWR Management*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/624-5128
- By Overnight Delivery

James B. King, Esq.  
Keefe King & Bowman, P.S.  
601 W. Main, Suite 1102  
Spokane, WA 99201-0625  
*Attorneys for Spokane Public  
Parking Development Authority*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 509/623-1380
- By Overnight Delivery

Arthur W. Harrigan, Jr. Esq.  
Karl F. Oles, Esq.  
Katherine See Kennedy, Esq.  
Danielson Harrigan &  
Tollefson LLP  
999 Third Ave., 44<sup>th</sup> Floor  
Seattle, WA 98104  
*Attorneys for Roy and Anne  
Koegen and Perkins Coie*

- Via First Class Mail
- By Hand Delivery
- Via Facsimile: 206/623-8717
- By Overnight Delivery

  
Jan L. Clyde